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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 10/699,445 |
| | | Filing Date | October 30, 2003 |
| | | First Named Inventor | Shuler, Eric T. |
| | | Art Unit | Unassigned |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | 020824-006610US |

| ENCLOSURES (Check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--------------------------------------------|---------------------------------------------------------------------------|
| Firm or Individual | Townsend and Townsend and Crew LLP Patrick R. Jewik Reg. No. 40,456 |
| Signature | |
| Date | December 1, 2003 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------|------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Landon Clark | | |
| Signature | | Date | December 1, 2003 |

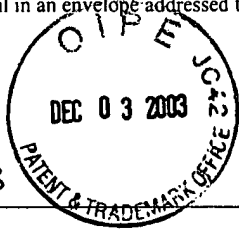
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Alexandria, VA 22313-1450

On 12-1-03

TOWNSEND and TOWNSEND and CREW LLP

By: London Clark



PATENT
Attorney Docket No.: 020824-006610US
Client Reference No.: Fridge
Phonics/Fridge Farm 191.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHULER, et al.

Application No.: 10/699,445

Filed: October 30, 2003

For: TOY FOR USE WITH VERTICAL
SURFACES

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

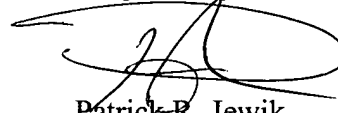
The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. In accordance with the USPTO's decision to waive the requirement under 37 CFR 1.98 (a)(2)(i) for U.S. patents and published patent applications for all U.S. national patent applications filed after June 30, 2003, applicant has not submitted copies of the references.

It is respectfully requested that the all references cited on the attached PTO/SB/08B be expressly considered during the prosecution of this application, be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

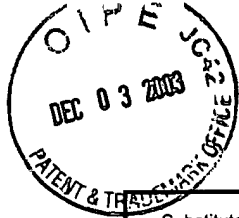
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. Jewik', written over a horizontal line.

Patrick R. Jewik
Reg. No. 40,456

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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| Application Number | 10/699,445 |
| Filing Date | October 30, 2003 |
| First Named Inventor | Shuler, Eric T. |
| Art Unit | Unassigned |
| Examiner Name | Unassigned |
| Attorney Docket Number | 020824-006610US |

U.S. PATENT DOCUMENTS+

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|------------------------------------------|--------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------------|----------------|
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.